

Municipality of Lakeshore – Report to Council

Growth and Sustainability

Community Planning



To: Mayor & Members of Council

From: Kristina Brcic, Team Leader – Development Approvals

Date: August 23, 2023

Subject: Admiral Cove Development Holding Symbol Removal on Haven Avenue

Recommendation

Direct Administration to process the zoning by-law amendment application for the holding symbol removal over a portion of lands on Haven Avenue to allow for the development of 4 new residential lots, as presented at the September 12, 2023 Council meeting.

Background

The Town of Lakeshore entered into a development agreement with 507822 Ontario Inc. and 1403543 Ontario Inc. (“Developer”), also known as Admiral Cove Development, on December 9th, 2014 for the development of 22 single unit residential lots on Haven Avenue in the community of Lighthouse Cove.

The owner of the subject lands, see Location Map in Appendix A, have entered into a Development Agreement with the municipality of Lakeshore which will allow the extension of Phase 1 of the residential development, to include an additional 4 single detached dwelling lots, for a total of 26 lots. However, the existing Holding Symbol on the lands must first be removed in order for the owner to implement the development of the lands.

The Development Agreement recognized that the lands may be serviced initially by individual septic tanks and tile bed systems and piped municipal water (partial municipal services). However, municipal sanitary sewers may be provided for the Community of Lighthouse Cove at some point in the future which would require the owners to disconnect from their private septic systems and connect to the municipal wastewater sewers.

The extension to Phase 1 is being proposed to provide the owner of the residential development the financial means to raise the elevation of the road, to alleviate future flooding on the road, due to high water levels on the Thames River and Lake St. Clair and to satisfy resident complaints from taxpayers.

Comments

The community of Lighthouse Cove is designated in the Official Plan as “Lighthouse Cove Special Planning Area”, with permitted residential uses, with a Lake St. Clair Floodprone Area/ Inland Floodprone Area overlay. The Official Plan requires that a Secondary Plan be developed to guide future land use. The Municipality has retained a consultant to develop the Secondary Plan, which is currently in process.

The Official Plan states that a holding symbol may be placed on the urban area, until municipal water and sewage systems are available (Section 7.3.1.1 f)). This policy was included to be consistent with the Provincial Policy Statement which states that full municipal services are the preferred way to service new development in Settlement Areas. This is particularly relevant in the Lighthouse Cove community where high-water tables and the potential for flooding could make the operation of traditional individual septic systems problematic. At the time the Official Plan was reviewed, the province, the Conservation Authority and the County of Essex were concerned about allowing further development in the Lighthouse Cove Area without a municipal sewage system in place. The Official Plan policies (approved through Official Plan Amendment No. 7) does allow for some infill development.

As Section 9.7, e) Lighthouse Cove Special Planning Area states:

“Long-term municipal servicing for Lighthouse Cove must be established prior to considering any further development, other than development of a single detached residence as infilling or rounding out on existing lots of record, within the Urban Area, provided that the site conditions are suitable for the long-term provision of such services with no negative impacts. For greater clarity, those lots for which full municipal servicing shall be required will be identified by use of the “h” Holding Symbol in the Zoning By-law”

Development of Phase 1 of Lighthouse Cove (Haven Avenue) proceeded due to a policy omission in the 2010 Official Plan which permitted development of a single detached dwelling, on a private septic system, for existing lots of record in the “Urban Area”. In Phase 1, the existing lots of record were doubled up under the provisions of the Development Agreement to create more area for a building footprint and a septic system, and there is monitoring of the septic systems through the agreements registered on title.

Official Plan Amendment No. 7 corrected the omission by including Section 3.4.6 d) (now Section 9.7 e) above) in the Official Plan. In keeping with the policy in the Official Plan, the area is currently covered by a Holding Zone which prevents development until full municipal servicing is available.

The existing lots of record, Lots 253 and 254 will be combined for one lot; and Lots 256 and 257 will be combined into a second lot. Lot 255 and Lot 301 have adequate frontage for a building permit and septic system and will be the 3rd and 4th lot respectively. These are referred to the Amending Development Agreement as “Proposed Phase 1B”.

The additional lots will bring the total number of lots on Haven Avenue to 26 lots, serviced initially by individual septic tanks and tile bed systems and piped municipal water (partial municipal services).

Development of four lots on the Haven Avenue extension can be considered as infilling and rounding out under the Official Plan policies as mentioned above as three of the four proposed lots are currently fronting on the temporary Haven Avenue cul-de-sac. The fourth proposed lot is partially fronting on the cul-de-sac.

A further report will return to Council to lift the H on the four proposed lots when Haven Avenue has been remediated and extended to Lakeshore's satisfaction.

Financial Impacts

Removal of the holding symbol on the subject lands will permit the development of 4 additional single residential dwellings which will increase the tax base and revenue collection for the Municipality.

The cost of road extension and remediation as well as the provision of services are the responsibility of the developer.

Attachments

Appendix A – Location Map

Report Approval Details

Document Title:	Haven Ave Holding Symbol Removal .docx
Attachments:	
Final Approval Date:	Sep 7, 2023

This report and all of its attachments were approved and signed as outlined below:

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Submitted by Ryan Donally and Tammie Ryall

Approved by Justin Rousseau and Krystal Kalbol